

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, ET  
AL.,

No. 5:21-cv-00844-XR

*Plaintiffs,*

v.

GREGORY W. ABBOTT, ET AL.,

*Defendants.*

**PLAINTIFFS HOUSTON AREA URBAN LEAGUE, ET AL.'S  
SUPPLEMENTAL EXPERT DESIGNATIONS**

Plaintiffs Houston Area Urban League, Delta Sigma Theta Sorority, Inc., The Arc of Texas, and Jeffrey Lamar Clemmons (collectively, “Plaintiffs”) by and through the undersigned counsel, hereby submit this Supplemental Designation of Potential Testifying Experts pursuant to Federal Rule of Civil Procedure 26(a)(2) and the Court’s Amended Scheduling Order (Dkt. No. 437), as amended by the Stipulated Extension of Expert Discovery Deadline (Dkt. No. 516). Plaintiffs designate the following witnesses, in addition to any previously designated, to offer expert testimony during the trial of this matter:

## **I. Supplemental Testifying Experts**

### **1. Daniel A. Smith, Ph.D.**

Department of Political Science  
234 Anderson Hall  
PO Box 117325  
University of Florida  
Gainesville, FL 32611-7325  
(352) 273-2346

Dr. Smith is a retained expert, hereby designated by Plaintiffs to provide testimony in this matter. He may be contacted through undersigned counsel.

Dr. Smith will offer testimony in support of the allegations contained in Plaintiffs' live pleading. He is expected to testify consistent with his expert report, which has been produced in connection with this matter and incorporated by reference. He will offer testimony related to the matters and opinions referenced in his expert report, including any amendments and supplements thereto, if any, as well as regarding supporting data, assessments, assumptions, and calculations utilized in formulating his expert opinions in this matter. He may also offer opinions regarding any projections or estimates based on his expertise and analysis within a reasonable degree of probability. Dr. Smith is also expected to offer testimony regarding his skills, knowledge, qualifications, training, and experience relevant to his area of expertise and opinions. A copy of his *curriculum vitae* is attached to his expert report and incorporated by reference.

Plaintiffs anticipate that Dr. Smith will continue to review any additional records as they are obtained, as well as any additional deposition testimony taken in this case, deposition exhibits, or documents produced by any party in this case as they become available. Additionally, Dr. Smith may review the reports, depositions, and/or exhibits of any other witnesses and/or experts that have been or may be taken in connection with this case and express an opinion about those matters. In

his testimony, he may respond to, address and/or express opinions regarding the testimony of other expert witnesses or matters on which they offer opinions within his area of expertise.

## **II. RESERVATIONS**

Discovery is ongoing in this matter and Plaintiffs hereby reserve the right to designate one or more additional expert witnesses for the purpose of addressing, responding to, and/or rebutting Defendants' claims, and/or to address information obtained during discovery.

Further, Plaintiffs reserve the right to supplement and/or amend these designations in compliance with the Federal Rules of Civil Procedure, Court Order, and/or agreement between the parties.

Plaintiffs reserve the right to call as expert witnesses any of the experts that other plaintiffs to this litigation have or in the future may name as testifying experts. Plaintiffs also reserve the right to call, examine, and cross-examine persons designated as witnesses and/or experts by Defendants and/or by other parties, including to elicit opinion testimony from any such witnesses. Plaintiffs do not admit or concede, however, the qualifications or admissibility of the testimony of any person designated as an expert witness by Defendants and/or other plaintiff. Plaintiffs reserve the right to object to the qualifications, opinions, and testimony of any person designated as an expert witness by the other parties.

Plaintiffs reserve the right to designate additional experts as allowed by Court Order, the Federal Rules of Civil Procedure, and/or any agreement between the parties. Plaintiffs reserve the right to de-designate any experts and/or to classify them as consulting experts in accordance with the Federal Rules of Civil Procedure and governing case law. Plaintiffs also reserve the right to call any person who, by reason of his or her knowledge, training, or experience, is qualified as an expert consistent with the law.

Respectfully submitted February 10, 2023

REED SMITH LLP, NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC., THE ARC OF THE  
UNITED STATES, INC.

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*\* Admitted Pro Hac Vice*

*Counsel for Plaintiffs Houston Area Urban League;  
Delta Sigma Theta Sorority, Inc.; The Arc of Texas;  
and Jeffrey Lamar Clemmons*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 10, 2023, a true and correct copy of the foregoing  
document was filed via the CM/ECF system and all counsel of record were served electronically.

/s/ Sarah Cummings Stewart  
Sarah Cummings Stewart